

United States District Court
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

V.

Jeffrey Shulse
Defendant

**ORDER SETTING CONDITIONS
OF RELEASE AND BOND**

Case No.: 16CR640(DLI)-07

RELEASE ORDER

It is hereby ORDERED that the above-named defendant be released as follows, subject to the Standard Conditions of Bond on the reverse and:

- ☐ Upon Personal Recognizance Bond on his/her promise to appear at all scheduled proceedings as required, or
☒ Upon Unsecured Bond executed by defendant in the amount of \$ 1,000,000, or
☐ Upon Secured Appearance Bond as provided herein.

Additional Conditions of Release

Upon finding that release under the standard conditions detailed on the reverse will not by themselves reasonably assure the appearance of the defendant and the safety of other persons and the community, IT IS FURTHER ORDERED that the defendant is subject to the following additional conditions of release: SDNY and Newark

- ☒ 1. The defendant must remain in and may not leave the following areas without Court permission: State of Texas; PITTSBURGH PA for work; Florida for pre-set vacation (see SDTX bond)
for Court-related reasons; Pittsburgh PA for work; and Denver, CO
- ☒ 2. The defendant shall avoid all contact and not associate with any of the following persons or entities: co-defendants
- ☐ 3. The defendant shall avoid and not go to any of the following locations: _____
- ☒ 4. The defendant shall surrender any and all passports to the U.S. Pretrial Services Agency by _____ and shall not apply for any other passport.
- ☒ 5. Defendant is placed under the express supervision of the Pretrial Services Agency, subject to the Special Conditions on the reverse, if applicable, and
☒ is subject to random visits by a Pretrial Services officer at defendant's home and/or place of work;
☒ must report to that agency () in person _____ times per _____ and/or () by telephone _____ times per as directed
☐ is subject to home detention with electronic monitoring with the following conditions: _____
- ☐ must undergo ☐ random drug testing ☐ evaluation and/or ☐ treatment for: ☐ substance abuse ☐ alcoholism ☐ mental health problems.
☐ must pay the cost of treatment and/or electronic monitoring by with personal funds and/or insurance.

- ☒ 6. Other Conditions: see attached bond - SDTX re sureties signatures and additional conditions.

APPEARANCE BOND

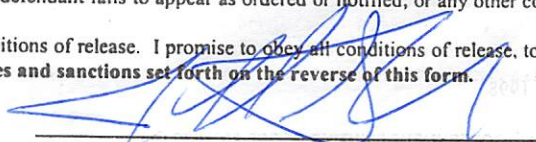
The undersigned defendant and sureties jointly and severally acknowledge that I/we and my/our personal representatives, jointly and severally, are bound to pay to the United States of America the sum of \$ _____. The undersigned agree(s) that this obligation is secured with his/her/their interest in the following property ("Collateral") which he/she/they represent is/are free and clear of liens except as otherwise indicated:

- ☐ cash deposited in the Registry of the Court the sum of \$ _____;
- ☐ premises located at: _____ owned by _____
- ☐ I/We also agree to execute a confession of judgment in form approved by the U.S. Attorney which shall be duly filed with the proper local and state authorities on or before _____
- ☐ Other Conditions: _____

_____	Address: _____
Surety	
_____	Address: _____
Surety	
_____	Address: _____
Surety	

The Court has advised the defendant of the conditions of release per 18:3142(h)(1) and (h)(2). This bond is conditioned upon the appearance of the defendant and is subject to the Standard Conditions of Bond set forth on the reverse. If the defendant fails to appear as ordered or notified, or any other condition of this bond is not met, this bond shall be due forthwith.

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth on the reverse of this form.


Signature of Defendant

Release of the Defendant is hereby ordered on Jan. 12, 20 17

S/DLI

Chief, US DJ

Distribution: White-Original Canary - Courtroom Deputy Pink - Pretrial Services Goldenrod - Defendant

Standard Conditions of Release

In all cases, IT IS ORDERED that the release of the defendant is subject to the following conditions:

1. Defendant shall immediately advise the court, defense counsel, and the U.S. Attorney in writing of any change in address and/or telephone number.
2. Defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed.
3. Defendant shall not commit any federal, state, or local crime.

The conditions of this bond are that the defendant named on the obverse is to appear before the Court and at such other places as the defendant may be required to appear, in accordance with any and all orders and directions relating to the defendant's appearance in this case, including appearance for violation of a condition of defendant's release as may be ordered or notified by this court or any other United States District Court to which the defendant may be held to answer or the cause transferred. The defendant is to abide by any judgment entered in such matter by surrendering to serve any sentence imposed and obeying any order or direction in connection with such judgment.

It is agreed and understood that this is a continuing bond (including any proceeding on appeal or review) which shall continue until such time as the undersigned are exonerated.

If the defendant appears as ordered or notified and otherwise obeys and performs the preceding conditions of this bond, then this bond is to be void, but if the defendant fails to obey or perform any of these conditions, payment of the amount of this bond shall be due forthwith. Forfeiture of this bond for any breach of its conditions may be declared by any United States District Court having cognizance of the entitled matter on the obverse at the time of such breach and if the bond is forfeited and if the forfeiture is not set aside or remitted, judgment may be entered upon motion in such United States District Court against each debtor jointly and severally for the amount above stated, together with interest and costs, and execution may be issued and payment secured as provided by the Federal Rules of Criminal Procedure and any other laws of the United States.

Special Conditions of Release

1. If defendant is subject to home detention, defendant may not leave his/her residence without the approval of the Pretrial Services Agency, except for court appearances and visits with defense counsel in this pending criminal case and for medical emergencies. In all instances, however, the defendant must notify the Pretrial Services Agency of his or her departure from the residence.
2. If the defendant fails to report as required to the Pretrial Services Agency or to appear for any specified treatment or evaluation, defendant may be subject to such random visits at his/her residence or work by a Pretrial Services Officer as may be necessary to verify his/her residence or place of employment in order to secure compliance with the order of release.

Advice of Penalties

If defendant violates any of the preceding conditions of release, a warrant will issue for his/her arrest and the terms and conditions of any further release will be reconsidered. Such reconsideration can result in a revocation of release, an order of detention, the forfeiture of any previously posted bail, and a prosecution for contempt, the latter of which could result in a term of imprisonment and/or a fine. In addition, if the defendant fails to appear as required, he/she could be prosecuted for failing to appear and, if found guilty, be subject to imprisonment for up to ten years and/or fined up to \$250,000 depending upon the offense charged.

The commission of any offense while on pretrial release may result in an additional sentence upon conviction for such offense of up to ten years, depending on the offense. Defendant is advised that it is a criminal offense to intimidate or attempt to intimidate a witness, juror, or officer of the court, or to obstruct a criminal investigation, or to tamper with a witness, victim, or informant, or to retaliate against a witness, victim, or informant, or to threaten or to attempt to do so. These offenses are punishable by up to ten years of imprisonment and a \$250,000 fine. The term(s) of imprisonment imposed for any of the foregoing offenses shall be consecutive to the sentence of imprisonment for any other offense and must be imposed in addition to the sentence received for the offense itself.

ENTERED

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

December 20, 2016
David J. Bradley, Clerk

UNITED STATES OF AMERICA

vs.

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§
§
§
§
§
§CRIMINAL NO. H- 16-1807MSethray Shulce**ORDER SETTING CONDITIONS OF RELEASE**

IT IS ORDERED that the defendant's release is subject to the following conditions:

1. The defendant must not violate any federal, state or local law while on release.
2. The defendant must not intimidate or attempt to intimidate a witness, juror or officer of the court (18 USC § 1503), obstruct a criminal investigation (18 USC § 1510), or tamper with or retaliate against a witness, victim or informant (18 USC §§ 1512 and 1513).
3. The defendant must immediately advise the Court, defense counsel and the Pretrial Services Agency, in writing, before any change in address and telephone number.
4. The defendant must appear in court as required and must surrender to serve any sentence imposed. The defendant must appear at (if blank, to be notified):

on _____

Place _____ Date/Time _____

RELEASE ON PERSONAL RECOGNIZANCE OR UNSECURED BOND

IT IS FURTHER ORDERED that the defendant be released on condition that:

- [X] 5. The defendant promises to appear in court as required and surrender to serve any sentence imposed.
- [X] 6. The defendant executes an unsecured bond binding the defendant to pay the United States the sum of \$ 1,000,000.00 in the event of a failure to appear as required or to surrender to serve any sentence imposed.

[X] The bond shall be signed by the following person(s) as surety:

Two PYS-approved sureties -

Additional Conditions of Release

Upon finding that release by one of the above methods will not by itself reasonably assure the defendant's appearance and the safety of other persons or the community, it FURTHER ORDERED that the defendant's release is subject to the conditions marked below:

- ☐ 7. The defendant is placed in the custody of:

(Name of person or organization)

(Address)

(City/State/Zip Code)

(Area Code/Telephone Number)

who agrees (a) to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the defendant's appearance at all scheduled court proceedings, and (c) to notify the court immediately if the defendant violates any conditions of release or disappears.

Signed: _____
Custodian or Proxy Date

- ☒ 8. The defendant must:

☒ a. Report to the U. S. Pretrial Services Agency - Phone: 713-250-5218, on a regular basis.

☐ b. Execute a bond or an agreement to forfeit upon failing to appear as required the following sum of money or designated property:

☐ c. Post with the court the following proof of ownership of the designated property, or the following amount or percentage of the above-described sum

_____.

☐ d. Execute a bail bond with solvent sureties in the amount of \$ _____.

☒ e. Maintain or actively seek employment.

☐ f. Maintain or commence an education program.

☒ g. Surrender U.S. Passport and/or Foreign Passport to the U.S. Pretrial Services Agency.

☒ h. Obtain no passport.

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- ☒ i. Abide by the following restrictions on personal association, place of abode, or travel:
Travel - State of Texas, State of New York for court-related reasons, for Pittsburgh for work, travel to Florida for present vacation.
- ☒ j. Avoid all contact, directly or indirectly, with any person who is or may become a victim or potential witness in the investigation or prosecution, including but not limited to:
(U-Defendants)
- ☐ k. Undergo medical or psychiatric treatment or remain in an institution as follows:
- ☐ l. Return to custody each (week) day at _____ o'clock after being released each (week) day at _____ o'clock for employment, schooling, or the following purpose(s):
- ☐ m. Maintain residence at a halfway house or community corrections center, as the Pretrial Services Office or supervising officer considers necessary.
- ☒ n. Refrain from possessing a firearm, destructive device, or other dangerous weapons.
- ☒ o. Refrain from () any (X) excessive use of alcohol.
- ☒ p. Refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.
- ☐ q. Submit to any testing required by the Pretrial Services Office or the supervising officer to determine whether the defendant is using a prohibited substance. Any testing may be used with random frequency and include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. The defendant must refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of any prohibited substance testing or monitoring which is (are) required as a condition of release.
- ☐ r. Participate in a program of inpatient or outpatient substance abuse therapy and counseling if the Pretrial Services Office or supervising officer considers it advisable.

Participate in one of the following location monitoring program components and abide by its requirement as the Pretrial Services Office or supervising officer instructs.

[] (ii) **Home Detention.** You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities pre-approved by the Pretrial Services Office or supervising officer; or

[] t.

☐ The defendant must pay all or part of the cost of the program based upon your ability to pay as the Pretrial Services Office or supervising officer determines.

[] (ii) Radio Frequency (RF) monitoring;

(iii) **Passive Global Positioning Satellite (GPS) monitoring;**

[] (iv) Active Global Positioning Satellite (GPS) monitoring (including “hybrid” (Active/Passive) GPS);

[] (v) Voice Recognition monitoring.

☒ u. Immediately report contact with law enforcement to Pretrial Services.

[] v. Special Conditions:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be a standard notebook page.

Advice of Penalties and Sanctions

Violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for the defendant's arrest, a revocation of release, an order of detention, as provided in 18 USC § 3148, and a prosecution for contempt as provided in 18 USC § 401 which could result in a possible term of imprisonment or fine.

The commission of any offense while on pretrial release may result in an additional sentence upon conviction for such offense to a term of imprisonment of not more than ten years, if the offense is a felony, or to a term of imprisonment of not more than one year, if the offense is a misdemeanor. This sentence shall be consecutive to any other sentence and must be imposed in addition to the sentence received for the offense itself. 18 USC § 3147.

18 USC § 1503 makes it a criminal offense punishable by up to five years of imprisonment and a \$250,000 fine to intimidate or attempt to intimidate a witness, juror or officer of the court; 18 USC § 1510 makes it a criminal offense punishable by up to five years imprisonment and a \$250,000 fine to obstruct a criminal investigation; 18 USC § 1512 makes it a criminal offense punishable by up to ten years of imprisonment and a \$250,000 fine to tamper with a witness, victim or informant; and 18 USC § 1513 makes it a criminal offense punishable by up to ten years of imprisonment and a \$250,000 fine to retaliate against a witness, victim or informant, or threaten or attempt to do so.

It is a criminal offense under 18 USC § 3146, if after having been released, the defendant knowingly fails to appear as required by the conditions of release, or to surrender for the service of sentence pursuant to a court order. If the defendant was released in connection with a charge of, or while awaiting sending, surrender for the service of a sentence, or appeal or certiorari after conviction for:

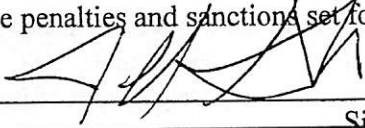
- ☐ 1. an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, the defendant shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;
- ☐ 2. an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, the defendant shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- ☐ 3. any other felony, the defendant shall be fined not more than \$250,000 or imprisoned for not more than two years, or both;
- ☐ 4. a misdemeanor, the defendant shall be fined not more than \$100,000 or imprisoned for not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be consecutive to the sentence of imprisonment for any other offense. In addition, a failure to appear may result in the forfeiture of any bail posted.

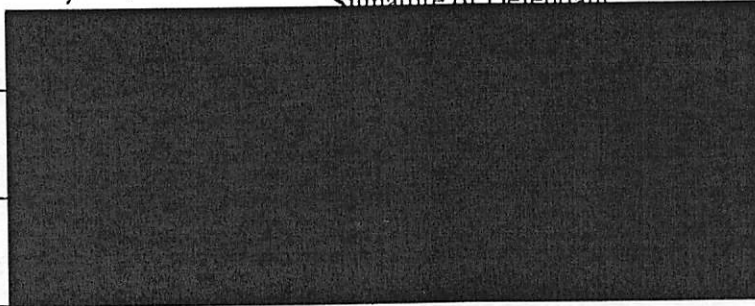
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Acknowledgment of Defendant

I acknowledge that I am the defendant in this case, and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.



Signature of Defendant



Telephone Number

Direction to United States Marshal

- ☐ The defendant is ORDERED released after processing.
- ☒ The United States Marshal is ORDERED to keep the defendant in custody until notified by the clerk or judicial officer that the defendant has posted bond and complied with all other conditions for release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, if still in custody.

Date: December 19, 2016



Stephen Wm. Smith
United States Magistrate Judge